

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

THE NATIONAL RIFLE ASSOCIATION
OF AMERICA, INC.,

Plaintiff,

v.

BUREAU OF ALCOHOL, TOBACCO,
FIREARMS, AND EXPLOSIVES, *et al.*,

Defendants.

Civil Action No. 3:23-CV-1471-L

DEFENDANTS' NOTICE OF SUPPLEMENTAL AUTHORITY

Defendants respectfully notify the Court of an opinion that the United States District Court for the Eastern District of Texas recently issued in *Watterson v. ATF*, No. 4:23-cv-80, 2024 WL 897595 (E.D. Tex. Mar. 1, 2024). In that opinion, the court denied the plaintiff's requests for relief under 5 U.S.C. § 705 and for a preliminary injunction regarding the same rule challenged in this litigation, *Factoring Criteria for Firearms With Attached "Stabilizing Braces,"* 88 Fed. Reg. 6,478 (Jan. 31, 2023). The court held that the plaintiff had "not demonstrated a substantial likelihood of success on the merits of any of his claims" or shown that "he is likely to suffer irreparable harm" absent preliminary relief. *Watterson*, 2024 WL 897595, at *11, 19.

Dated: March 6, 2024

Respectfully submitted,

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Principal Deputy Assistant Attorney General

BRIGHAM J. BOWEN
Assistant Branch Director

/s/ Jody D. Lowenstein

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CERTIFICATE OF SERVICE

On March 6, 2024, I electronically submitted the foregoing document with the Clerk of Court for the U.S. District Court, Northern District of Texas, using the Court's electronic case filing system. I hereby certify that I have served all parties electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s/ Jody D. Lowenstein
JODY D. LOWENSTEIN
Trial Attorney
U.S. Department of Justice